

SENATE, NO. 2342

AN ACT ORDERING A COMPREHENSIVE STUDY OF COMMONWEALTH CHARTER SCHOOLS

*Be it enacted by the Senate and House of Representatives in General Court assembled,
And by the authority of the same, as follows:*

1 SECTION 1. Notwithstanding any general or special law to the contrary, the authority of the board of
2 education to grant commonwealth charters to an applicant pursuant to section 89 of chapter 71 of the
3 General Laws shall be suspended until the following matters have been considered and are the subject
4 of a report requested by creation by this act.

5 By no later than March 1st, 2007, the Massachusetts Department of Education shall procure a full and
6 independent review of the effectiveness of charter schools in Massachusetts, to be conducted by a
7 reputable entity not affiliated with charter schools or regular public schools in the Commonwealth.
8 Said study shall examine existing policies governing charter schools as well as all charter schools
9 presently operating in Massachusetts; provided further, that said study shall provide insight into how
10 well charter schools are advancing reforms in Massachusetts, how well they are serving Massachusetts
11 children, and how well they are meeting the mission of replicable innovation defined for them in the
12 Education Reform Act of 1993. Said study shall analyze: 1. The pattern of student, teacher and
13 administrative attrition in comparison with sending school districts to assess the stability of the

14 instructional program and leadership provided by the charter school and to assess the ability of charter
15 schools to retain students and highly qualified personnel; 2. Student recruitment and enrollment
16 patterns, particularly for subgroups identified under the No Child Left Behind Act, in order to
17 ascertain the degree to which charter schools reflect the student distribution of sending school districts,
18 and further the study shall assess the attrition rate for various subgroups in order to identify the type of
19 students who leave the charter school and the reasons for leaving; 3. The qualifications and
20 certifications of teachers and administrators staffing the charter schools to assess the degree to which
21 children are taught by highly qualified personnel; 4. The accuracy of the waiting lists currently
22 reported for enrollment in charter schools; 5. Due process compliance for special education and
23 English language learners and the degree to which charter schools make appropriate accommodations
24 for these students; 6. Compliance with statutes governing the operations of public institutions such as
25 the open meeting law, public bidding laws, and the public records law; 7. The degree to which the
26 charter schools' programs are consistent with and sustain the original intent outlined in the approved
27 application of said charter school; 8. The degree to which charter schools have created innovative
28 teaching and learning models applicable to the sending public schools and have shared this
29 information with the sending public schools; 9. The pattern of spending for various categories
30 identified in the End-of-the-Year report such as administration, financial management, instruction,
31 special education, maintenance, etc. in comparison with the sending public schools; 10. The general
32 management of charter school student discipline through expulsions, suspensions and other
33 disciplinary actions; 11. Improvement in charter school student performance as compared to that of the
34 sending school districts; 12. Identification of particularly successful and unsuccessful educational
35 practices among charter schools with a delineation of those successful practices that may be replicable
36 within public schools. Further, said study shall include comprehensive recommendations on

37 refinement, improvements and or changes to existing laws governing charter schools. This study shall
38 be completed by no later than March 15th, 2007, a copy of which shall be filed immediately thereafter
39 with the Clerk of the House of Representatives, the Clerk of the Senate, the Chairs of the House and
40 Senate Committees on Ways and Means, and the Chairs of the Joint Committee on Education.

41 SECTION 2. Notwithstanding any general or special law to the contrary, there shall be a special study
42 commission established to review the findings of the report commissioned in Section 1 of this Act.
43 Said commission shall be comprised of the house and senate chairs of the Committee on Ways and
44 Means or their designees, the house and senate chairs of the Joint Committee on Education, Arts and
45 Humanities or their designees, and one representative selected by each of the following: Massachusetts
46 Association of School Committees, Massachusetts Association of School Superintendents,
47 Massachusetts Teachers Association and the Massachusetts Federation of Teachers. Further, the
48 Massachusetts Charter Public School Association shall have three representative designees; one shall
49 be the parent of a student presently enrolled in an Commonwealth Charter School, and shall be a
50 teacher in a Commonwealth Charter School.

51 SECTION 3. Said commission shall convene within 10 days after submission of said study to the
52 Legislature in order to review said findings; and further, shall meet monthly with the intention of
53 incorporating findings and recommendations contained in said study into a proposal including but not
54 limited to legislative and or regulatory changes to laws governing charter schools in the
55 Commonwealth of Massachusetts. Said commission shall submit said proposal(s) to the chairs of the
56 Joint Committee on education, arts and the humanities by no later than October 1st, 2007.